

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-31259-2016 (O&M)

Date of decision: 08.02.2018

Bhupinder Singh @ Mohan

... Petitioner

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. N.S. Diwana, Advocate
for the petitioner.

Mr. Atinder Pal Singh Jaurkian, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for issuance of directions to respondent No.4 to provide the certified copy of the order of discharge in FIR No.21 dated 09.03.1998 under Sections 326, 324, 323, 148, 149 IPC, Police Station Qadian (Now PS Sekhon), District Batala and in FIR No.40 dated 20.04.2007 under Sections 452, 427, 506, 148, 149 IPC, Police Station Qadian (now PS Sekhon), District Batala.

Learned counsel for the petitioner submits that both the abovesaid FIRs were cancelled and later on the cancellation reports were submitted before the Illaqa Magistrate and the same were accepted, however, when the petitioner applied for obtaining the certified copies of the orders, the same were not supplied.

Reply by way of affidavit of Deputy Superintendent of Police, City Batala has already been filed. As per para No.3 of the reply, in FIR No.21, the

cancellation report was presented before the Judicial Magistrate 1st Class, Batala on 02.02.2001 and the same is pending. With regard to FIR No.40, it is submitted that the cancellation report was submitted in the Court of Judicial Magistrate 1st Class, Batala on 05.12.2008 and the same is also pending. According to the petitioner, the cancellation report was accepted, however, as per the reply by way of affidavit filed on behalf of respondents No.1 to 3, the same is still pending.

In view of the above, this petition is disposed of with liberty to the petitioner to again approach the trial Court/Illaq Magistrate/Successor Court. In case the cancellation reports have finally been accepted, certified copies of the orders will be supplied to the petitioner and if the same is pending, the necessary intimation will be given.

It is also made clear that in case record of the case file, being old case, is not traceable, necessary information will also be given to the petitioner in this regard.

Disposed of, accordingly.

[ARVIND SINGH SANGWAN]
JUDGE

08.02.2018

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No